

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CENTURY BANK,

Plaintiff,

v.

Case No. 1:24-cv-01027-MLG-JHR

ART FINANCE FUNDING (IX), LLC,
ANDREW C. ROSE, and
ANN S. COPELAND,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE’S PROPOSED
FINDINGS AND RECOMMENDED DISPOSITION**

United States Magistrate Judge Jerry H. Ritter filed the Proposed Findings and Recommended Disposition (“PFRD”) on July 18, 2025. Doc. 21. The PFRD recommends the Court grant the motion for default judgment in part, awarding Century Bank compensatory damages against Defendants Art Finance Funding (IX) LLC and Andrew C. Rose, jointly and severally, but denying Century Bank’s requested declaratory relief. *Id.* at 2-3. The PFRD notified the parties of their ability to file objections within fourteen days and that failure to do so waived appellate review. *Id.* at 3. Century Bank filed a notice on July 18, 2025, that it had no objections to the PFRD. Doc. 22. As of the date of entry of this order, no objections have been filed by Defendants, and, upon review of the law and the record, the Court concurs with Judge Ritter’s PFRD.

It is therefore ordered as follows:

1. Judge Ritter’s Proposed Findings and Recommended Disposition, Doc. 21, is adopted;
2. Century Bank’s Motion for Default Judgment, Doc. 13, is granted in part and

denied in part;

3. Century Bank is awarded judgment against Defendants Art Finance Funding (IX), LLC and Andrew C. Rose, jointly and severally, in the total amount of \$21,645,100.00, prejudgment interest at a rate of \$11,666.67 per day from February 11, 2025, until the date of entry of this Order, and post-judgment interest at a rate calculated pursuant to 28 U.S.C. § 1961(a);
4. Century Bank may submit a request for attorney's fees and costs. *See* D.N.M.LR-Civ. 54.5; and
5. The Clerk is directed to mail copies of this Order and Judge Ritter's Proposed Findings and Recommended Disposition, Doc. 21, to the following addresses.
 - i. Art Finance Funding (IX), LLC
3801 Centerville Rd.
Wilmington, DE 19807
 - ii. Art Finance Funding (IX), LLC
P.O. Box 4360
Greenville, DE 19807
 - iii. Andrew C. Rose
3801 Centerville Rd.
Wilmington, DE 19807
 - iv. Andrew C. Rose
P.O. Box 4360
Greenville, DE 19807



UNITED STATES DISTRICT JUDGE
MATTHEW L. GARCIA